

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0666

5TH AVENUE v. KAHLON et al.

Appellate Case Information

Case Filed: 8-Oct-2015
Case Closed:

Dept/Composition

Department D

Hon. Andrew W Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. 5TH AVENUE PROFESSIONAL OFFICE LLC, an Arizona limited liability company, Plaintiff/Appellant

(Litigant Group) 5TH AVENUE PROFESSIONAL OFFICE LLC

- 5th Avenue Professional Office LLC

Attorneys for: Plaintiff/Appellant

Charles K Ayers, Esq. (AZ Bar No. 3756)

Side 2. MANINDER KAHLON and RAMIT KAHLON, husband and wife; ATUL SYAL and JYOTI SYAL, husband and wife; JATIN SHAH and RIMA SHAH, husband and wife; JASON REINHART, an unmarried man; ANDREW GORMAN and BRENDA GORMAN, husband and wife; ANDRE HAGEVIK and MELANIE LANE, husband and wife; NIRMALA ARYAL and PRASHANT NARAIN, husband and wife; LAWRENCE KUTZ and ELANA KUTZ, husband and wife; PRAFUL REDDY and AMRITA REDDY, husband and wife, Defendant/Appellee

(Litigant Group) MANINDER & RAMIT KAHLON

- Maninder Kahlon
- Ramit Kahlon

Attorneys for: Defendants/Appellees Kahlon

Daryl M Williams, Esq. (AZ Bar No. 4631)

(Litigant Group) ATUL SYAL et al.

- Atul Syal
- Jyoti Syal
- Jatin Shah
- Rima Shah
- Jason Reinhart
- Andrew Gorman
- Brenda Gorman
- Andre Hagevik
- Melanie Lane
- Nirmala Aryal
- Prashkant K Narain
- Lawrence Kutz
- Elana Kutz

Attorneys for: Defendants/Appellees Syal et al.

Jeffrey Messing, Esq. (AZ Bar No. 9768)

(Litigant Group) PRAFUL & AMRITA REDDY

- Praful Reddy
- Amrita Reddy

Attorneys for: Defendants/Appellees Reddy

Brian E Ditsch, Esq. (AZ Bar No. 9075)

Steven M Goldstein, Esq. (AZ Bar No. 10887)

CASE STATUS

Dec 8, 2016.....Decision Rendered

PREDECESSOR CASE(S)

MAR CV2014-015004

Cause/Charge/Class

Breach of Contract;
Enforcement of Guaranty

Judgment/Sentence

Judge, Role <Comments>

James T Blomo, Authoring
Judge of Order

Trial

Dispo

3 OPEN DUE DATES

Motion for Reconsideration due

Due By:

Friday, December 23, 2016

Re: MEMORANDUM DECISION (Reversed, Remanded) Hon Patricia A Orozco - Author; Hon Andrew W Gould - Concur; Hon Peter B Swann - Concur

Response to Costs due

Due By:

Wednesday, January 4, 2017

Re: FILED: Statement of Costs; Certificate of Service (Appellant)

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3 OPEN DUE DATES

Petition for Review to ASC due

Due By: Monday, January 9, 2017

Re: MEMORANDUM DECISION (Reversed, Remanded) Hon Patricia A Orozco - Author; Hon Andrew W Gould - Concur; Hon Peter B Swann - Concur

PENDING MATTER

General Motion

Filed: 15-Dec-2016

Statement of Costs (Appellant)

CASE DECISION

08-Dec-2016 MEMORANDUM DECISION

Patricia Orozco.....Author
Andrew Gould.....Concur
Peter Swann.....Concur

Filed: **08-Dec-2016**

Mandate:

Decision Disposition

Reversed
Remanded

44 PROCEEDING ENTRIES

1. 8-Oct-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/10/15
2. 8-Oct-2015 FILED: e-Record on Appeal: Instruments/Minute Entries
3. 13-Oct-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
4. 13-Oct-2015 FILED: Plaintiff/Appellant's Notice of Payment of Filing Fee; Plaintiff/Appellant's Certificate of Service
5. 16-Oct-2015 RECEIPT No.: 2015-01437 ; \$280.00, Authorization: 88018636999, Applied to: 5TH AVENUE PROFESSIONAL OFFICE LLC - Class A Filing Fee (\$280.00) Paid for: Ayers & Brown PC - By Integrated Resource Systems IN
6. 23-Oct-2015 FILED: Appellees' Notice re: Appellees' Fees/Appellant's Brief Due
7. 23-Oct-2015 FILED: Notice of Appearance; Certificate of Service (Appellees Syal, et al.)
8. 28-Oct-2015 RECEIPT No.: 2015-01498 ; \$140.00, Authorization: #00019813288, Applied to: ATUL SYAL et al. - Class B Filing Fee (\$140.00) Paid for: Poli & Ball PLC - By Integrated Resource Systems
9. 28-Oct-2015 FILED: Plaintiff/Appellant's Notice of Filing and Serving Transcript; Plaintiff/Appellant's Certificate of Service
10. 28-Oct-2015 FILED: Reporter's Transcript of Proceedings 5/1/15 (Laura I Blair) (Appellant)
11. 2-Nov-2015 FILED: Case Management Statement (Appellant)
12. 4-Nov-2015 FILED: Notice of Appearance; Certificate of Service (Appellee Reddy, et al.)
13. 5-Nov-2015 FILED: Notice of Paying Filing Fee by Appellees Maninder and Ramit Kahlon; Certificate of Service of Notice of Paying Filing Fee by Appellees Maninder and Ramit Kahlon (Appellees Kahlon)
14. 9-Nov-2015 RECEIPT No.: 2015-01558 ; \$140.00, Authorization: 13002133324, Applied to: PRAFUL & AMRITA REDDY - Class B Filing Fee (\$140.00) Paid for: Sacks Tierney PA - By Integrated Resource Systems IN
15. 10-Nov-2015 RECEIPT No.: 2015-01565 ; \$140.00, Authorization: #13017245756, Applied to: MANINDER & RAMIT KAHLON - Class B Filing Fee (\$140.00) Paid for: Baird Williams & Greer LLP - By Integrated Resource Systems IN
16. 14-Dec-2015 FILED: Appellant 5th Avenue Professional Office LLC's Opening Brief; Appellant 5th Avenue's Certificate of Compliance; Appellant 5th Avenue's Certificate of Service
17. 21-Jan-2016 FILED: Answering Brief of Defendants/Appellees Syal, Shah, Reinhart, Gorman, Hagevik, Lane, Aryal, Narain and Kutz; Certificate of Compliance for Answering Brief of Defendants/Appellees Syal, Shah, Reinhart, Gorman, Hagevik, Lane, Aryal, Narain and Kutz; Certificate of Service for Answering Brief of Defendants/Appellees Syal, Shah, Reinhart, Gorman, Hagevik, Lane, Aryal, Narain and Kutz

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44 PROCEEDING ENTRIES

18.	25-Jan-2016	FILED: Appellees Reddy's Joinder in Appellees' Answering Brief and Notice of Request for Attorneys' Fees and Costs on Appeal; Certificate of Service (Appellee)
19.	26-Jan-2016	FILED: Joinder by Defendants/Appellees Kahlon in Answering Brief of Defendants/Appellees Syal, Shah, Reinhart, Gorman, Hagevik, Lane, Aryal, Nurain, and Kutz; Certificate of Service of Joinder by Defendants/Appellees Kahlon in Answering Brief of Defendants/Appellees Syal, Shah, Reinhart, Gorman, Hagevik, Lane, Aryal, Nurain, and Kutz
20.	9-Feb-2016	FILED: Appellant's Motion for Procedural Order for Extension of Time to File Reply Brief; Appellant 5th Avenue's Certificate of Service (Appellant)
21.	10-Feb-2016	ORDERED: Appellant's Motion for Procedural Order for Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 02-16-2016 to Friday, 02-26-2016. Barbara Vidal Vaught ProTem Judge - Author
22.	25-Feb-2016	FILED: Appellant 5th Avenue Professional Office LLC's Reply Brief; Appellant 5th Avenue's Certificate of Compliance; Appellant 5th Avenue's Certificate of Service
23.	25-Feb-2016	FILED: Request for Oral Argument; Appellant 5th Avenue's Certificate of Service (Appellant)
24.	3-Mar-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
25.	9-Mar-2016	ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Michael J Brown - Author
26.	10-Mar-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
27.	5-Aug-2016	FILED: Appellant 5th Avenue's Notice of Change of Firm Address; Appellant 5th Avenue's Certificate of Service (Appellant)
28.	9-Aug-2016	FILED: Defendants/Appellees Syal, Shah, Reinhart, Gorman, Hagevik, Lane, Aryal, Narain and Kutz's Notice of Firm Name Change; Certificate of Service
29.	16-Aug-2016	FILED: Notice of Change of Attorney Within the Firm; Appellant 5th Avenue's Certificate of Service (Appellant)
30.	26-Sep-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 11-16-16, 09:30 am, COURTROOM 2.
31.	5-Oct-2016	FILED: Unopposed Motion for Procedural Order Continuing Oral Argument; Certificate of Service (Appellee)
32.	6-Oct-2016	FILED: Receipt for Notice of Oral Argument, signed by Charles K Ayers on 10/05/2016 (Appellant)
33.	6-Oct-2016	FILED: Receipt for Notice of Oral Argument, signed by Jeffrey Messing on 10/06/2016 (Appellee)
34.	6-Oct-2016	FILED: Receipt for Notice of Oral Argument, signed by Jeffrey Messing on 10/06/2016 (Appellee)
35.	6-Oct-2016	ORDERED: Unopposed Motion for Procedural Order Continuing Oral Argument (Appellee) = GRANTED/vacating oral argument on 11/16/2016 and resetting oral argument to 11/30/2016. Hon Andrew W Gould - Author
36.	7-Oct-2016	FILED: Receipt for Notice of Oral Argument, signed by Charles K Ayers on 10/06/2016 (Appellant)
37.	21-Oct-2016	FILED: Notice of Change of Counsel Within Same Firm for Appellees Maninder Kahlon and Ramit Kahlon; Untitled (Certificate of Service) (Appellees Kahlon)
38.	16-Nov-2016	FILED: Receipt for Notice of Oral Argument, signed by Brian E Ditsch on 10/06/2016; Certificate of Service (Appellee)
39.	21-Nov-2016	FILED: Receipt for Notice of Oral Argument, signed by Charles K Ayers on 11/20/2016; Appellant 5th Avenue's Certificate of Service (Appellant)
40.	23-Nov-2016	FILED: Receipt for Notice of Oral Argument, signed by Daniel B Mestaz on 10/06/2016; Certificate of Service of Return Receipt for Notice of Oral Argument (Appellee)
41.	30-Nov-2016	FILED: Sign-in Sheet/Case is Under Advisement as of 11/30/2016 (Dept D)
42.	8-Dec-2016	MEMORANDUM DECISION (Reversed, Remanded) Hon Patricia A Orozco - Author; Hon Andrew W Gould - Concur; Hon Peter B Swann - Concur
43.	8-Dec-2016	FILED: Memorandum Decision Distribution List
44.	15-Dec-2016	FILED: Statement of Costs; Certificate of Service (Appellant)